97-84018-28

U.S. Bureau of Mines

General information and rulings for the...

Washington

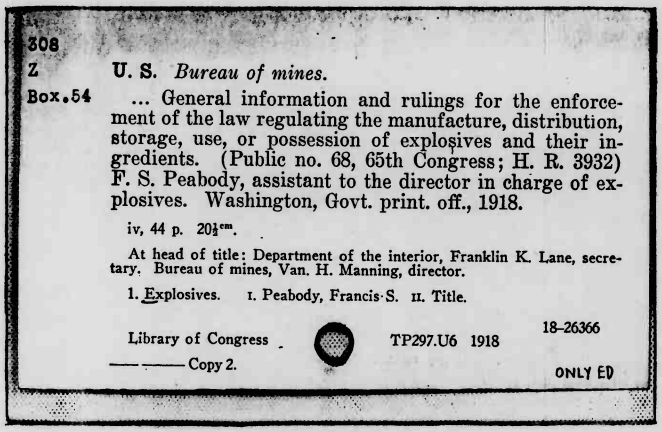
1918

97-84018-28
MASTER NEGATIVE #

COLUMBIA UNIVERSITY LIBRARIES
PRESERVATION DIVISION

BIBLIOGRAPHIC MICROFORM TARGET

ORIGINAL MATERIAL AS FILMED - EXISTING BIBLIOGRAPHIC RECORD



308
Z
Box.54

U. S. *Bureau of mines.*

... General information and rulings for the enforcement of the law regulating the manufacture, distribution, storage, use, or possession of explosives and their ingredients. (Public no. 68, 65th Congress; H. R. 3932) F. S. Peabody, assistant to the director in charge of explosives. Washington, Govt. print. off., 1918.

iv, 44 p. 20½cm.

At head of title: Department of the interior, Franklin K. Lane, secretary. Bureau of mines, Van. H. Manning, director.

1. Explosives. I. Peabody, Francis S. II. Title.

Library of Congress TP297.U6 1918 18-26366
Copy 2.

ONLY ED

RESTRICTIONS ON USE: *Reproductions may not be made without permission from Columbia University Libraries.*

TECHNICAL MICROFORM DATA

FILM SIZE: 35 mm REDUCTION RATIO: 10:1 IMAGE PLACEMENT: IA (IIA) IB IIB

DATE FILMED: 2-7-97 INITIALS: PB

TRACKING # : 21268

FILMED BY PRESERVATION RESOURCES, BETHLEHEM, PA.

I 28.2: Ex7

DEPARTMENT OF THE INTERIOR
FRANKLIN K. LANE, SECRETARY
BUREAU OF MINES
VAN. H. MANNING, DIRECTOR

GENERAL INFORMATION AND RULINGS

FOR THE

ENFORCEMENT OF THE LAW REGULATING THE MANUFACTURE, DISTRIBUTION, STORAGE, USE, OR POSSESSION OF EXPLOSIVES AND THEIR INGREDIENTS

(Public No. 68, 65th Congress; H. R. 3932)

308
I
Bur. 54

F. S. PEABODY
Assistant to the Director in Charge of Explosives

WASHINGTON
GOVERNMENT PRINTING OFFICE
1915

DEPARTMENT OF THE INTERIOR
FRANKLIN K. LANE, SECRETARY
BUREAU OF MINES
VAN. H. MANNING, DIRECTOR

GENERAL INFORMATION AND RULINGS

FOR THE

ENFORCEMENT OF THE LAW REGULATING THE MANUFACTURE, DISTRIBUTION, STORAGE, USE, OR POSSESSION OF EXPLOSIVES AND THEIR INGREDIENTS

(Public No. 68, 65th Congress; H. R. 3932)

F. S. PEABODY
Assistant to the Director in Charge of Explosives

WASHINGTON
GOVERNMENT PRINTING OFFICE
1918

CONTENTS.

	Page.
Foreword	1
The explosives regulation law	2
Preamble	2
Definition of "explosives"	2
Exemption of small-arms or shotgun cartridges	2
Exemption of Army and Navy from provisions of act	2
Definition of "ingredients"	2
Definition of word "person"	2
Effective date	3
Licensed foremen	3
Exemption of explosives in transit	3
Manufacture is under license	3
Information must be furnished by licensee or applicant for license	3
Records that must be kept	4
Classes of licenses	4
Eligibility for license	4
Revocation of license	5
Appeal	5
Application for license	5
Information required	5
Where made	5
Fee for issuance	5
Records to be kept by licensing agents	5
Removal of licensing agents	6
Revocation of license	6
United States explosive inspectors	6
Additional employees	6
Unlawful to deceive as to possession of license	6
License must be shown	6
Information must not be divulged	6
Signs on plants and magazines	7
Trespass prohibited	7
Rules and regulations	7
Penalty	7
Investigations of explosives and fires	7
Assistance in execution of act	8
Appropriation	8
The President's proclamation	9
Violation of rules and regulations a misdemeanor	11
The purpose of the law	11
Definition of "person," "explosives," and "ingredients"	12
Commodities for which licenses are required	13
Explosives	13
Explosives licensed	13
Exceptions (explosives)	13
Definition of small arms	14
Ingredients	14
Exceptions (ingredients)	14
Definition of small quantities of ingredients	14
Kinds of licenses	15
Manufacturer's license	15
Vendor's license	15
Purchaser's license	15
Foreman's license	15

Kinds of licenses—Continued.	Page.
Exporter's license	15
Importer's license	15
Analyst's, educator's, inventor's, and investigator's license	15
General rules on licenses	16
Limitation of license	16
Citizenship	16
State laws and local ordinances must be observed	16
Instructions to licensing agents	17
General duties and obligations of licensors	17
Publicity	17
Cooperation with State and local officials	17
Local cooperation	18
Compliance with explosives regulation law	18
State explosives inspector	18
Classes of licenses issued	18
Inquiry before issuing licenses	19
Personal knowledge of applicants	19
Appearance in person	20
Citizenship	20
Residence	21
Oath of applicant and fees	21
Identification of applicant for analyst's license	21
Age requirements	22
Filing of application forms	22
License not transferable	22
Licenses voided by death or change of service	22
Errors	22
Protection of the license form	23
Reports	23
Records to be kept	23
Special instructions	23
Forms to be issued to licensees	24
Can not appoint deputies	25
Issuance of certified copies	25
Special license for fireworks	25
Rules for licensees	26
How to apply for and obtain licenses from local licensing agents	26
Where to apply	26
Must appear in person	26
Should read the law	26
Representatives of firms, etc	26
Analysts, etc	26
Procedure	27
Appeal	27
Certified copies of licenses	27
How to obtain licenses from the Bureau of Mines at Washington	27
Applications made to Bureau of Mines	27
Licenses required by United States Government	28
Appeal	28
Use, protection, and lapse of licenses	28
License not transferable	28
Void at death or termination of employment	28
Preservation of license	28
Loss of license	28
Records required under licenses	28
Reporting violations of law, explosions and fires	29
When licenses must be shown	29
Duties of licensee	29
Cooperation in enforcement of the law	29
Special rules covering shipment of explosives or ingredients by common carriers	29
Special rules for manufacturers of explosives and ingredients	31
Additional rules for manufacturers of fireworks	31

Rules for licensees—Continued. Page.
Special rules for vendors of explosives and ingredients 32
Special rules for various industries using explosives and ingredients 33
Quarries, coal mines, metalliferous mines, and other industries using explosives 33
Suggestions 35
Special rules in regard to licenses for various kinds of work 36
Miners and quarrymen 36
Prospectors 36
Oil-well operators, drillers, and shooters 37
Contractors 37
Demonstrators 37
Exporters and importers 37
Munitions plants 37
States, Territories, cities, towns, etc 37
Farmers 38
Railroads, telephone and telegraph companies, etc 38
Druggists, etc 38
Loading shotgun shells, etc 38
Fireworks 38
Rules for the storage of explosives and ingredients 39
List of United States explosives inspectors appointed by the President 40
Instructions to United States explosives inspectors 42

GENERAL INFORMATION AND RULINGS FOR THE ENFORCEMENT OF THE LAW REGULATING THE MANUFACTURE, DISTRIBUTION, STORAGE, USE, OR POSSESSION OF EXPLOSIVES AND THEIR INGREDIENTS.

FOREWORD.

The operation of this law will doubtless cause inconvenience to persons engaged in legitimate business; it may embarrass worthy citizens in the pursuit of their livelihood; it may necessitate the spending of money by bringing about changes in operating methods; but to all loyal citizens these hardships will be slight and temporary, and if we all cooperate in making it an efficient law disloyalty will suffer the penalty it deserves.

If you manufacture or sell explosives, see to it that they pass from you only to those who have lawful need of them. If you use them, make them produce coal or copper or wheat or corn, and protect them well from theft, in order that they may not be used for destructive purposes.

Our enemies are not all in Europe, and it was as a weapon to be turned against those of them who are lurking here on our own soil that this law was created. They wear no uniform and do not fight us in the open; but they are here, plotting in various ways to prevent the products of our mines and our factories and our forests and our farms from clothing and feeding and arming our own fighting forces and those of our allies.

To each of us is given the duty of producing his or her share of these necessities, and on each of us falls a portion of the responsibility of counteracting the attempts of those who are working behind our backs to make our efforts ineffectual; and so; to each of us comes the chance of participation in the war. The part we can play may be an inconspicuous one, but it will be no less important because of that, and the things we will be fighting for will be the things our boys are dying for; and when success comes to our country, the end that will have been gained will be worth to the world all that it will have cost.

THE EXPLOSIVES REGULATION LAW.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when the United States is at war it shall be unlawful to manufacture, distribute, store, use, or possess powder, explosives, blasting supplies, or ingredients thereof, in such manner as to be detrimental to the public safety, except as in this act provided.

Preamble.

SEC. 2. That the words "explosive" and "explosives" when used herein shall mean gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuses, detonators, and other detonating agents, smokeless powders, and any chemical compound or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities, or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of, or any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, or of destroying life or limb, but shall not include small arms or shotgun cartridges: *Provided*, That nothing herein contained shall be construed to prevent the manufacture, under the authority of the Government, of explosives for, their sale to or their possession by, the military or naval service of the United States of America.

Definition of "Explosives."

Exemption of small arms or shotgun cartridges.

Exemption of Army and Navy from provisions of act.

SEC. 3. That the word "ingredients" when used herein shall mean the materials and substances capable by combination of producing one or more of the explosives mentioned in section one hereof.

Definition of "Ingredients."

SEC. 4. That the word "person," when used herein, shall include States, Territories, the District of Columbia, Alaska, and other dependencies of the United States and municipal subdivisions thereof, individual citizens, firms, associations, societies, and corporations of the United States and of other countries at peace with the United States.

Definition of word "Person."

SEC. 5. That from and after 40 days after the passage and approval of this act no person shall have in his possession or purchase, accept, receive, sell, give, barter, or otherwise dispose of or procure explosives, or ingredients, except as provided in this act: *Provided*, That the purchase or possession of said ingredients when purchased or held in small quantities and not used or intended to be used in the manufacture of explosives are not subject to the provisions of this act: *Provided further*, That the superintendent, foreman, or other duly authorized employee at a mine, quarry, or other work may, when licensed so to do, sell or issue to any workman under him such an amount of explosives or ingredients as may be required by that workman in the performance of his duties, and the workman may purchase or accept the explosives or ingredients so sold or issued, but the person so selling or issuing same shall see that any unused explosives or ingredients are returned, and that no explosives or ingredients are taken by the workman to any point not necessary to the carrying on of his duties.

Effective date.

Licensed foremen.

SEC. 6. That nothing contained herein shall apply to explosives or ingredients while being transported upon vessels or railroad cars in conformity with statutory law or Interstate Commerce Commission rules.

Exemption of explosives in transit.

SEC. 7. That from and after 40 days after the passage of this act no person shall manufacture explosives unless licensed so to do, as hereinafter provided.

Manufacture is under license.

SEC. 8. That any licensee or applicant for license hereunder shall furnish such information regarding himself and his business, so far as such business relates to or is connected with explosives or ingredients, at such time and in such manner as the Director of the Bureau of Mines or his authorized representative may request, excepting that those who have been or are at the time of the passage of this act regularly engaged in the manufacture of explosives shall not be compelled to disclose secret processes, costs, or other data unrelated to the distribution of explosives.

Information must be furnished by licensee or applicant for license.

SEC. 9. That from and after 40 days after the passage and approval of this act every person authorized to sell, issue, or dispose of explosives shall keep a complete, itemized, and accurate record, showing each person to whom explosives are sold, given, bartered, or to whom or how otherwise disposed of, and the quantity and kind of explosives, and the date of each such sale, gift, barter, or other disposition, and this record shall be sworn to and furnished to the Director of the Bureau of Mines or his authorized representatives whenever requested.

Records that must be kept.

SEC. 10. That the Director of the Bureau of Mines is hereby authorized to issue licenses as follows:

Classes of licenses.

(*a*) Manufacturer's license, authorizing the manufacture, possession, and sale of explosives and ingredients.

(*b*) Vendor's license, authorizing the purchase, possession, and sale of explosives or ingredients.

(*c*) Purchaser's license, authorizing the purchase and possession of explosives and ingredients.

(*d*) Foreman's license, authorizing the purchase and possession of explosives and ingredients, and the sale and issuance of explosives and ingredients to workmen under the proviso to section 5 above.

(*e*) Exporter's license, authorizing the licensee to export explosives, but no such license shall authorize exportation in violation of any proclamation of the President issued under any act of Congress.

(*f*) Importer's license authorizing the licensee to import explosives.

(*g*) Analyst's, educator's, inventor's, and investigator's licenses authorizing the purchase, manufacture, possession, testing, and disposal of explosives and ingredients.

SEC. 11. That the Director of the Bureau of Mines shall issue licenses, upon application duly made, but only to citizens of the United States of America, and to the subjects or citizens of nations that are at peace with them, and to corporations, firms, and associations thereof, and he may, in his discretion, refuse to issue a license, when he has reason to believe, from facts of which he has knowledge or reliable information, that the applicant is disloyal or hostile to the United States of America, or that, if the applicant is a firm, association, society, or corporation, its controlling stockholders or members are disloyal or hostile to the United States of America. The Director

Eligibility for license.

may, when he has reason to believe on like grounds that any licensee is so disloyal or hostile, revoke any license issued to him. Any applicant to whom a license is refused or any licensee whose license is revoked by the said Director may, at any time within 30 days after notification of the rejection of his application or revocation of his license, apply for such license or the cancellation of such revocation to the Council of National Defense, which shall make its order upon the Director either to grant or to withhold the license.

Revocation of license.

Appeal.

SEC. 12. That any person desiring to manufacture, sell, export, import, store, or purchase explosives or ingredients or to keep explosives or ingredients in his possession, shall make application for a license, which application shall state, under oath, the name of the applicant; the place of birth; whether native born or naturalized citizen of the United States of America; if a naturalized citizen, the date and place of naturalization; business in which engaged; the amount and kind of explosives or ingredients which during the past six months have been purchased, disposed of, or used by him; the amount and kind of explosives or ingredients now on hand; whether sales, if any, have been made to jobbers, wholesalers, retailers, or consumers; the kind of license to be issued, and the kind and amount of explosives or ingredients to be authorized by the license; and such further information as the Director of the Bureau of Mines may, by rule, from time to time require.

Application for license.

Information required.

Applications for vendor's, purchaser's, or foreman's licenses shall be made to such officers of the State, Territory, or dependency having jurisdiction in the district within which the explosives or ingredients are to be sold or used, and having the power to administer oaths, as may be designated by the Director of the Bureau of Mines, who shall issue the same in the name of such Director. Such officers shall be entitled to receive from the applicant a fee of 25 cents for each license issued. They shall keep an accurate record of all licenses issued in manner and form to be prescribed by the Director of the Bureau of Mines, to whom they shall make reports from

Where made.

Fee for issuance.

Records to be kept by licensing agents.

time to time as may be, by rule issued by the Director, required. The necessary blanks and blank records shall be furnished to such officers by the said Director. Licensing officers shall be subject to removal for cause by the Director of the Bureau of Mines, and all licenses issued by them shall be subject to revocation by the Director as provided in section 11.

Removal of licensing agents.

Revocation of license.

SEC. 13. That the President, by and with the advice and consent of the Senate, may appoint in each State and in Alaska an explosives inspector, whose duty it shall be, under the direction of the Director of the Bureau of Mines, to see that this act is faithfully executed and observed. Each such inspector shall receive a salary of $2,400 per annum. He may at any time be detailed for service by said director in the District of Columbia, or in any State, Territory, or dependency of the United States. All additional employees required in carrying out the provisions of this act shall be appointed by the Director of the Bureau of Mines, subject to the approval of the Secretary of the Interior.

United States explosives inspectors.

Additional employees.

SEC. 14. That it shall be unlawful for any person to represent himself as having a license issued under this act, when he has not such a license, or as having a license different in form or in conditions from the one in which he in fact has, or without proper authority make, cause to be made, issue, or exhibit anything purporting or pretending to be such license, or intended to mislead any person into believing it is such a license, or to refuse to exhibit his license to any peace officer, Federal or State, or representative of the Bureau of Mines.

Unlawful to deceive as to possession of license.

License must be shown.

SEC. 15. That no inspector or other employee of the Bureau of Mines shall divulge any information obtained in the course of his duties under this act regarding the business of any licensee, or applicant for license without authority from the applicant for license or from the Director of the Bureau of Mines.

Information must not be divulged.

SEC. 16. That every person authorized under this act to manufacture or store explosives or ingredients shall clearly mark and define the premises on which his plant or magazine may be and shall conspicuously display thereon the words "Explosives—Keep Off."

Signs on plants and magazines.

SEC. 17. That no person, without the consent of the owner or his authorized agents, except peace officers, the Director of the Bureau of Mines, and persons designated by him in writing, shall be in or upon any plant or premises on which explosives are manufactured or stored; or be in or upon any magazine premises on which explosives are stored; nor shall any person discharge any firearms or throw or place any explosives or inflammable bombs at, on, or against any such plant or magazine premises, or cause the same to be done.

Trespass prohibited.

SEC. 18. That the Director of the Bureau of Mines is hereby authorized to make rules and regulations for carrying into effect this act, subject to the approval of the Secretary of the Interior.

Rules and regulations.

SEC. 19. That any person violating any of the provisions of this act, or any rules or regulations made thereunder, shall be guilty of a misdemeanor and shall be punished by a fine of not more than $5,000 or by imprisonment not more than one year, or by both such fine and imprisonment.

Penalty.

SEC. 20. That the Director of the Bureau of Mines is hereby authorized to investigate all explosions and fires which may occur in mines, quarries, factories, warehouses, magazines, houses, cars, boats, conveyances, and all places in which explosives or the ingredients thereof are manufactured, transported, stored, or used, and shall, in his discretion, report his findings, in such manner as he may deem fit, to the proper Federal or State authorities to the end that if such explosion has been brought about by a willful act the person or persons causing such act may be proceeded against and brought to justice; or, if said explosion has been brought about by accidental means, that precautions may be taken to prevent similar accidents from occurring. In the prosecution of such investigations the employees of the Bureau of Mines are hereby granted the authority to enter the premises where such explosion or fire has occurred, to

Investigations of explosions and fires.

examine plant, books, and papers, to administer oaths to, and to examine all witnesses and persons concerned, without let or hindrance on the part of the owner, lessee, operator, or agent thereof.

SEC. 21. That the Director of the Bureau of Mines, with the approval of the President, is hereby authorized to utilize such agents, agencies, and all officers of the United States and of the several States, Territories, dependencies, and municipalities thereof, and the District of Columbia, in the execution of this act, and all agents, agencies, and all officers of the United States and of the several States and Territories, dependencies, and municipalities thereof, and the District of Columbia, shall hereby have full authority for all acts done by them in the execution of this act when acting by the direction of the Bureau of Mines.

Assistance in execution of act.

SEC. 22. That for the enforcement of the provisions of this act, including personal services in the District of Columbia and elsewhere, and including supplies, equipment, expenses of traveling and subsistence, and for the purchase and hire of animal-drawn or motor-propelled passenger-carrying vehicles, and upkeep of same, and for every other expense incident to the enforcement of the provisions of this act, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $300,000, or so much thereof as may be necessary: *Provided*, That not to exceed $10,000 shall be expended in the purchase of motor-propelled passenger-carrying vehicles.

Appropriation.

Approved, October 6, 1917.

THE PRESIDENT'S PROCLAMATION.

WHEREAS, under and by virtue of an act of Congress entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved by the President on the 6th day of October, 1917, it is provided among other things that from and after 40 days after the passage and approval of said act no person shall manufacture, distribute, store, use, or possess explosives or ingredients thereof, not including explosives for the military or naval service of the United States of America under the authority of the Government or ingredients in small quantities not used or intended to be used in the manufacture of explosives, and not including small arms or shotgun cartridges, unless such person shall obtain a license issued in the name of the Director of the Bureau of Mines, except that any workman may purchase or accept explosives or ingredients thereof under prescribed conditions from a licensed superintendent or foreman.

AND WHEREAS, it is further provided in said act as follows:

"That the Director of the Bureau of Mines, with the approval of the President, is hereby authorized to utilize such agents, agencies, and all officers of the United States and of the several States, Territories, dependencies, and municipalities thereof, and the District of Columbia, in the execution of this act, and all agents, agencies, and all officers of the United States and of the several States and Territories, dependencies, and municipalities thereof, and the District of Columbia, shall hereby have full authority for all acts done by them in the execution of this act when acting by the direction of the Bureau of Mines."

NOW, THEREFORE, I, Woodrow Wilson, President of the United States of America, by this proclamation do announce the following:

That from and after the 15th day of November, 1917, and during the present war with Germany, it will be unlawful to manufacture, distribute, store, use, or possess explosives or ingredients thereof, except as provided in said act.

That the Director of the Bureau of Mines is hereby authorized to utilize, where necessary for the proper administration of said act, the services of all officers of the United States and of the several States, Territories, dependencies, and municipalities thereof, and of the District of Columbia, and such other agents and agencies as he may designate, who shall have full authority for all acts done by them in the execution of the said act when acting under his direction.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia, this twenty-sixth day of October, in the year of our Lord one thousand nine hundred and seventeen, and of the independence of the United States of America, the one hundred and forty-second.

[SEAL.]

WOODROW WILSON.

By the President,
ROBERT LANSING,
Secretary of State.

VIOLATION OF RULES AND REGULATIONS A MISDEMEANOR.

The rules, regulations, and instructions contained in the following pages have been made under the authority granted to the Director of the Bureau of Mines by section 18 of the law.

Any person violating any of these rules and regulations shall be guilty of a misdemeanor, and shall be punished by a fine of not more than $5,000, or by imprisonment of not more than one year, or by both such fine and imprisonment.

THE PURPOSE OF THE LAW.

The purpose of the law is: To prevent disloyal persons from procuring explosives or their ingredients, and to keep explosives or their ingredients out of the hands of persons who will not protect them carefully enough to prevent them from being stolen or used for unlawful purposes.

Manufacturers, vendors, and others should satisfy themselves as to the loyalty and responsibility of persons to whom they sell explosives. Licensors have been instructed to refuse to issue a license to any person not known to them to be loyal and responsible unless recommended by reputable citizens of the community.

DEFINITION OF "PERSON," "EXPLOSIVES," AND "INGREDIENTS."

Wherever the word "person" is used in this publication, it shall be construed as having the meaning attached to it in section 4 of the law.

The words "explosive" or "explosives" shall mean any one or more of the substances listed as explosives on page 13.

The words "ingredients" or "ingredient" shall mean any one or more of the substances listed as ingredients on page 14.

COMMODITIES FOR WHICH LICENSES ARE REQUIRED.

1. **Explosives**—including the following:

Explosives licensed.

Ammonium nitrate.
Blasting powder.
Blasting caps.
Caps, blasting, detonating, percussion—all classes.
Chlorate powders.
Detonating fuse, or cordeau detonant.
Detonators.
Dynamites.
Electric blasting machines.
Electric blasting caps.
Fireworks.
Flashlight powders.
Fulminates.
Fuse of all varieties.
Gun cotton.
Gunpowder and gunpowder mixtures (except small arms or shotgun cartridges).
Nitrocellulose exceeding 10.18 per cent nitrogen.
Nitroglucose.
Nitorglycerine (except in official U. S. Pharmacopoeia solution, or in form of pills, or granules, containing not more than one-fiftieth of a grain each).
Nitroglycol.
Nitromannite.
Nitrostarch.
Nitrosugar.
Permissible explosives.
Ammonium picrate.
Picrates.
Picric acid.
Smokeless powder (except small arms or shotgun cartridges).
Squibs.
Trinitrotoluol (triton).
Trinitrocresol.
Trinitronaphthaline.
Tetranitroanaline.
Tetranitromethylanaline.

Exceptions (explosives).

Exceptions.—1. When the above are sold or issued by licensed foremen to workmen under them.

40693°—18——3

2. Small arms and shotgun cartridges.

Definition of small arms.

Note.—Small arms are defined as firearms, which may be discharged from the hand or shoulder.

Ingredients licensed.

2. **Ingredients**—including the following:

Bichromates:
- Ammonium.
- Potassium.
- Sodium.

Chlorates:
- Barium.
- Potassium.
- Sodium.
- Strontium.

Chromates:
- Ammonium.
- Barium.
- Calcium.
- Chrome green.
- Chrome yellow.
- Lead.
- Potassium.
- Sodium.

Nitrates:
- Ammonium.
- Barium.
- Copper.
- Ferric.
- Lead.
- Magnesium.
- Nickel.
- Potassium.
- Silver.
- Strontium.

Nitric acid:
- Aqua fortis.
- Fuming.
- Nitric acids of all grades and strengths.
- Mixed acids.

Perchlorates:
- Perchloric acid.
- Potassium.

Perborates:
- Magnesium.
- Sodium.
- Zinc.

Permanganates:
- Calcium.
- Potassium.
- Sodium.

Peroxides:
- Barium.
- Calcium.
- Magnesium.
- Oxon (cubes and cartridges).
- Sodium.
- Zinc.
- Strontium.

Phosphorus.

Exceptions (ingredients).

Exceptions: 1. When the above are sold or issued by licensed foremen to workmen under them.

2. When small quantities are involved.

Definition of small quantities of ingredients.

Note.—Small quantities of ingredients are defined as quantities of less than one ounce.

The above list of explosives and ingredients is subject to change at any time.

KINDS OF LICENSES.

(a) **Manufacturer's license.**—Must be obtained by every person manufacturing explosives and listed ingredients, and permits the purchase, possession, and sale of such substances by the manufacturer.

These licenses are issued only by the Bureau of Mines, Washington, D. C.

(b) **Vendor's license.**—Must be obtained by every person receiving or purchasing explosives and listed ingredients for sale to others, and permits their possession for this purpose. This license is not required by foremen for sale and issuance to his workmen.

These licenses are issued by all local licensing agents.

(c) **Purchaser's license.**—Must be obtained by every person receiving or purchasing explosives or listed ingredients for use, and permits their possession and use but does not authorize the holders to sell or issue to others, except through a licensed foreman. This license is not required by workmen when sale or issuance to them is made by a licensed foreman.

These licenses are issued by all local licensing agents.

(d) **Foreman's license.**—Must be obtained by every foreman, etc., who purchases, or receives from his employer, explosives or listed ingredients for sale or issuance to workmen under him.

These licenses are issued by all local licensing agents.

(e) **Exporter's license.**—Must be obtained by every person exporting explosives or listed ingredients.

These licenses are issued only by the Bureau of Mines, Washington, D. C.

(f) **Importer's license.**—Must be obtained by every person importing explosives or listed ingredients.

These licenses are issued only by the Bureau of Mines, Washington, D. C.

(g) **Analyst's, educator's, inventor's, and investigator's license.**—Must be obtained by every person purchasing, manufacturing, possessing, testing, or disposing of explosives and listed ingredients for the purposes indicated by the license name.

These licenses are issued by all local licensing agents.

GENERAL RULES ON LICENSES.

Licenses issued by local licensing agents are good only in the State in which they are issued.

Limitation of license. A license will not be issued to an applicant under 21 years of age, except that a purchaser's license may be issued to such an applicant when he is regularly engaged in mining, agriculture, or other work requiring the use of explosives and when he is personally qualified to use explosives, and when he presents a written statement from his employer to that effect. (See exception covering fireworks.)

This will not prevent the issuance of a purchaser's license to a person under 21 years of age who may be engaged in his own business, provided that such applicant presents convincing evidence to that effect.

A foreman's license will not be issued to an applicant under 21 years of age.

Citizenship. An applicant who is not a native-born citizen and who claims citizenship must produce his certificate of naturalization or those of his parents. If unable to do this, he should produce satisfactory secondary evidence of citizenship, in the form of affidavits supported, if necessary, by affidavits of other persons, setting forth all the facts upon which he bases his claim.

State laws and local ordinances must be observed. None of the licenses above releases their possessors from the necessity of obtaining such other licenses as may be required under State laws or local ordinances pertaining to explosives or ingredients.

INSTRUCTIONS TO LICENSING AGENTS.

These instructions supersede and cancel "Instructions to licensors" issued by the Bureau of Mines, November 5, 1917.

Important changes have been made and these new instructions should be very carefully read by all licensing agents.

General duties and obligations of licensors.

1. Upon receipt of appointment and supplies sign and return the franked postal card (**Form No. 6–881**) accepting the duties of licensing agent. Note that you must be authorized to administer oaths in order to qualify as a licensing agent.

2. Check the list of supplies (**Form No. 6–880**) and return the franked postal card (**Form No. 6–886**) indicating the correctness, shortage of forms, or extras. Be sure that you report correctly the number of licenses received at your office, giving the consecutive numbers, first and last, inclusive.

3. Estimate how many additional applications and licenses you will need and promptly notify (**Form No. 6–864**) the Director of the Bureau of Mines, Washington, D. C.; if necessary, send a telegram, Government rate, collect.

Publicity.

4. Notify the local newspapers that you have been authorized to issue licenses, and request them to call attention to your appointment and authorization to issue licenses. This is the only means the Bureau of Mines has of notifying the public of your appointment, and of announcing the exact place at which licenses may be procured.

Cooperation with State and local officials.

5. In order to secure the proper enforcement of the explosives regulation law, it is important that there be the heartiest cooperation among all Federal, State, and municipal officials, and you are urged to keep in touch with your county and city officials, such as the mayor, chief of police, and chief of fire department, so that they may have some information as to who have received licenses from your office; and also advise them of the instructions that you have issued to licensees.

6. If there are in your State any State or city officials operating under State laws, or local ordinances, regulating the manufacture, sale, storage, and use of explosives, you should cooperate with these officials in the enforcement of such laws and ordinances.

Local cooperation.

7. It is believed that the officials charged with the enforcement of this law will receive much help from suggestions from the general public, and it will be worth while for you to take reliable citizens into your confidence regarding the issue of licenses to parties who may be acting in a suspicious way. You may discover after you have issued a license that the licensee is acting in a disloyal manner. The licensing agent should telegraph such information to the Director of the Bureau of Mines, as under the law a license may be revoked upon the order of the Director of the Bureau of Mines. To secure reliable information regarding such parties it may be necessary for you to have the assistance of trustworthy citizens of the community.

Compliance with explosives regulation law.

8. The licensing agent should endeavor to explain the purpose of the law and the privileges of the licensee to such persons as in his opinion may require such explanation and instructions. He should further instruct the licensee that the Federal license will not permit anyone to violate a State law or a local ordinance. All such State laws and local ordinances must be complied with fully, and if there is any question in the mind of the licensee regarding such matters, the licensee should be advised to confer with the local officers of the law or communicate with the State explosives inspector (appointed by the President under the explosives regulation law), before taking any steps that might subject him to prosecution and punishment.

State explosives inspector.

9. You should keep the explosives inspector for your State advised in regard to the situation in your community. You are expected to assist him in any way you can and to keep him advised regarding the violation of the law by licensees who may reside in your community.

Classes of licenses issued.

10. Read the law carefully and note under section 10 that there are seven classes of licenses which may be issued. Of this number, the following may be

issued by you: (*b*) Vendor's, (*c*) purchaser's, (*d*) foreman's and (*g*) analyst's, educator's, inventor's, investigator's.

Manufacturer's (*a*), exporter's (*e*), and importer's (*f*) will be issued only on applications made direct to the Director, Bureau of Mines, Washington, D. C.

The law does not apply to explosives or ingredients while being transported upon vessels or railroad cars in conformity with statutory law or Interstate Commerce Commission rules; nor to small-arms or shotgun cartridges; nor in such way as to prevent the manufacture, under the authority of the Government, of explosives for, their sale to, or their possession by, the military or naval service of the United States of America.

Inquiry before issuing licenses.

11. You will be expected to use good judgment in the issuing of licenses, and it is not sufficient that you simply issue a license upon the presentation of an application under oath. There may be times when, owing to the urgency of your other duties, you may be prompted to issue an explosives license without full investigation, and you are cautioned against such procedure. This war measure will give you an opportunity to do your bit in a substantial manner through public service.

Personal knowledge of applicants.

12. The purpose of this law is to prevent disloyal persons from securing explosives, and to keep explosives out of the hands of persons who will not protect them carefully enough to prevent them from being stolen. In this matter you are authorized to use your discretion, and you are directed to refuse to issue a license to any person not known to you to be responsible and loyal, or if not known to you, unless he is recommended by reputable citizens of the community. (See also par. 17.) In the event that you refuse to issue the license to an applicant, the entire matter should be reported immediately to the Director of the Bureau of Mines, Washington, D. C. The complaint of an applicant on account of the delay or embarrassment to him resulting from your refusal to issue the license immediately on request should not deter you from acting firmly in enforcing the law as explained to you in these instructions and as your sense of loyalty may dictate.

13. Every applicant for a license must appear in person before the licensor. In the case of firms, associations, societies, and corporations desiring a license for purchasing or vending explosives, or in the case of educational institutions applying for the analyst's, investigator's, or educator's license, the application may be presented by and the license issued to the properly qualified representative of such firm, association, society, corporation, or institution, and the license shall be made out in the name of the firm, association, society, corporation, or institution; but a foreman's license shall be issued upon presentation of the application of the foreman in person and shall be issued to the foreman in person, as foreman of the designated individual, firm, association, society, or corporation. A corporation official applying for the license for a corporation and a foreman applying for a foreman's license should present proper credentials to show his official capacity. The word "foreman" as used in the regulations designates the person actually issuing explosives from the explosives magazine and any other person who may be designated by his company to see that explosives are taken by a workman only to points necessary to the carrying on of his duties and that unused explosives are returned to a safe place, whether or not this man is known at the mine, plant, or work, or carried on the pay rolls under the title of "foreman."

Appearance in person.

14. The law specifies that an applicant "shall state under oath his place of birth, whether native born or naturalized citizen of the United States of America; if a naturalized citizen, the date and place of naturalization." In the case of corporations, firms, and associations, the nationality of the controlling stockholders must be indicated. Licenses will not be issued to enemy aliens or to subjects of a country allied with an enemy of the United States; or to a corporation, firm, or association where its controlling stockholders or members are enemy aliens or subjects of a country allied with an enemy of the United States. Applicants for licenses under the explosives act who are unable to produce their certificates of naturalization or those of their parents under whom they claim naturalization, should be required to furnish satisfactory secondary evidence of citizenship in the form of an affidavit supported if necessary by the affidavits of other persons,

Citizenship.

setting forth all of the facts upon which they base their claim. The children of persons who have been duly naturalized under any law of the United States, or, who previous to the passing of any law on that subject by the Government of the United States, under the laws thereof, being under the age of 21 years at the time of naturalization of their parents, shall after dwelling in the United States, be considered citizens thereof; and the children of persons who now are, or have been citizens of the United States, shall, though born out of the limits and jurisdictions of the United States, be considered as citizens thereof. Citizens or subjects of countries friendly to the United States (England, France, Italy, Spain, etc.), if otherwise qualified, are eligible to receive licenses.

15. A licensing agent may issue licenses permitting the purchasing, vending, possession, or use of explosives and ingredients anywhere within his State, but his territory will be limited by the necessity of applicants being personally known to him or properly identified. A license issued in one State is not valid in any other State.

Residence.

16. The applicant may swear to the application before any notary, in which event payment of the notarial fee will not exempt him from paying the license fee to the licensing officer. He may then present the application duly sworn to the licensing agent and upon paying the license fee of 25 cents may secure a license if, in the opinion of the licensing agent, he is competent to hold such a license and is loyal to the United States of America. If the applicant appears before the licensor and takes the oath in the presence of the licensor, one fee of 25 cents shall cover both the oath and the license fee.

Oath of applicant and fees.

17. In the case of an applicant for the analyst's, educator's, and investigator's license, if the applicant is a person and not an institution, such person must be identified and indorsed in writing by two reputable citizens of the community known to the licensor, and the oath of the applicant must be taken in the presence of his indorsers. If the representative of an educational or other institution applying for a license in this class is known personally to the licensing officer, such indorsement will not be necessary.

Identification of applicant for analyst's license.

18. An applicant for a vendor's license must be not less than 21 years of age. The foreman's license shall be issued only to men not less than 21 years of age. The purchaser's license shall be issued only to persons not less than 21 years of age, provided that upon proper presentation you may issue this class of license to minors, if you have been satisfied that such minors are regularly employed in mining, agriculture, or other work requiring the use of explosives and that they are qualified to use explosives.

Age requirements.

19. The original application (**Form 6–860**) should be sworn to and should be retained by you until called for by the Bureau of Mines. It is proposed at this time that the application shall constitute a permanent record of the Government to show when a license (**Form 6–861**) has been issued. It is important, therefore, that the serial number of the license issued to the applicant shall be placed upon the application form.

Filing of application forms.

20. A license is not transferable and may be used only by the person to whom it has been issued. If there is any special question regarding this matter, inquiries should be made directly to the Director of the Bureau of Mines, Washington, D. C., or to the United States Inspector of Explosives for your State. If a licensee dies, or leaves the service of an employer for whose service the license was secured, the license should be returned to the original licensing agent. The latter should mark the license "Canceled" and should retain it until called for by the Bureau of Mines.

License not transferable.

License voided by death or change of service.

21. If you make an error in filling out a license blank, you should mark the license and stub "Void," retaining the license so marked and returning the stubs with those which you send us each month when submitting your report to this office. It is important that you do not destroy them at this time. Please see that your name, official title, and address is stamped or written plainly at the top of each license stub before sending them to this office.

Errors.

22. Each license bears a number and must be protected and preserved by the licensee, so that he may be identified at any time when he desires to purchase, vend, issue, or use explosives. In the event the license is lost or destroyed, a new license may be issued upon application to the original licensor and the payment of the usual license fee of 25 cents, but only upon satisfactory evidence that the facts are as claimed. Licensors shall keep an accurate record on **Form 6–871** of each lost license and shall also note on the above form the number of the new license issued in place of the one lost. **Form 6–871,** together with applications and all other records, shall be kept in a safe or vault, the stubs of the licenses being forwarded to this office at the end of each month.

Protection of the licer .e form.

23. You have been provided with forms upon which you will report promptly the number of licenses you have issued as follows: On the first day of each month, submit a report (**Form 6–873**) showing the number of licenses of each class and the total you have issued during the preceding calendar month, together with the stubs of the licenses issued during the month; and, second, make a list of the names of each person, firm, corporation, etc., to whom a license has been issued during the calendar month and other data as indicated on **Form 6–871.** This latter form is to be retained in your files as your permanent record of the licenses issued.

Reports.

The records of your office shall include the following: (1) Record of licenses issued (**Form 6–871**); (2) original application forms; (3) a record by months showing the number of licenses of each kind and the total number issued during each calendar month; (4) copies of all of the letters which you have written to the Bureau of Mines, the United States inspector of explosives for your State, and all other officers charged with enforcing the law, or to an applicant for a license or to a licensee regarding the explosives regulation law.

Records to be kept.

24. You will be furnished with printed instructions, which you will issue to licensees whereby they may familiarize themselves with the rules governing licensees of their class and the privileges which a license confers upon them. These instructions and rules are

Special instructions.

subject to revision, and additional information will be supplied to you and to them as may be convenient. If the licensee requires additional information at the present time, he should communicate with the State explosives inspector of your State, or address the Director of the Bureau of Mines, Washington, D. C.

The licensee should be advised that under an interpretation of section 9 of the law every person authorized to sell or issue or otherwise dispose of explosives shall keep a complete, itemized, and accurate record showing each person to whom the explosives are sold, given, bartered, or to whom or how otherwise disposed of; the quantity and kind of explosives; the purpose for which they are to be used; and the date of each such sale, gift, barter, or other disposition; and this record shall be sworn to and furnished to the Director of the Bureau of Mines, or his authorized representatives, whenever requested.

You should instruct the licensee that explosions and fires occurring in buildings, plants, mines, etc., where explosives are manufactured, stored, used, or sold shall be reported at once to the Bureau of Mines. Until further notice do not report trivial fires that may occur frequently, through ordinary operations, and are not due to carelessness or maliciousness; for example, the small fires following the daily firing of shots in a coal mine. An explosion or fire that causes death, serious injury to three or more men, or property damage exceeding $1,000 should be reported briefly by telegram, Government rate, collect.

Your attention is directed to the fact that the explosives regulation law covers both explosives and ingredients, to both of which the foregoing apply, as further amplified in the general rules and regulations in this booklet.

Forms to be issued to licensees.

25. In order that there may be no misunderstanding, you will please note that you will issue to the licensee the following forms:

1. A license (**Form 6–861**).

2. A sheet showing the arrangement of a form on which records may be kept in accordance with the law by a person who sells, issues, or disposes of explosives (**Form 6–869**).

Can not appoint deputies.

26. Licensing agents can not appoint deputies for the purpose of issuing licenses. If additional licensing agents are required, the names of persons who are authorized to administer oaths and are otherwise qualified to act should be suggested in writing to the Director, Bureau of Mines, Washington, D. C.

Issuance of certified copies.

27. Licensing agents are authorized to issue certified copies of licenses which have originated in their offices under the following conditions:

The applicant must appear in person and produce the original license; he must pay a fee of 25 cents for each certified copy issued; he must be known to the licensing agent to be the proper owner of the license presented. The licensing agent will make a true copy of the original license and in the lower left-hand corner add the words, "Certified copy of license No. —— made (date) by (signature of licensing agent)."

Special license for fireworks.

28. Purchaser's licenses, limited to the purchase and use of fireworks and so stating in the body of the license, may be issued to minors not less than 16 years of age, when they are children of American citizens who are known to be loyal.

RULES FOR LICENSEES.

HOW TO APPLY FOR AND OBTAIN LICENSES FROM LOCAL LICENSING AGENTS.

Where to apply.

Although an explosives license can be obtained at any place in the State in which the explosives or ingredients are to be sold and used, it is necessary that the applicant be known to the licensing agent or properly identified to him. Consequently it is advisable to make application to the nearest licensing agent, not necessarily in the applicant's home county, but at the most convenient place.

Must appear in person.

The applicant must appear in person before the licensing agent, and previous to doing so he should prepare a statement of the amount of explosives and ingredients purchased, disposed of, or used by him during the past 6 months, and an estimate of the amount he will require for 12 months to come.

Should read the law.

Before filling in his application blank the applicant should read the law with care, paying especial attention to section 12.

Representatives of firms, etc.

Firms, associations, societies, and corporations desiring a license for purchasing or vending explosives, or educational institutions applying for the analyst's, investigator's, or educator's license may apply through a properly qualified representative, and the license shall be made out in the name of the firm, association, society, corporation, or institution; but a foreman's license shall be issued upon presentation of the foreman in person and shall be issued to the foreman in person, as foreman of the designated individual, firm, association, society, or corporation. A corporation employee applying for the license for a corporation should present proper credentials to show his official capacity.

Analyst's, etc.

In the case of an applicant for an analyst's, chemist's, and investigator's license, if the applicant is a person and not an institution, such person must be identified and indorsed in writing by two reputable citizens of the community known to the licensing agent, and the oath of the applicant must be taken in the presence of his indorsers.

Having read these instructions, examined the application, and determined which class of license is necessary, the applicant should proceed as follows:

Procedure.

(1) Fill out the application form (either in the presence of the licensing agent or at any convenient place).

(2) Swear to the correctness of the statements in the application.

(3) Pay a fee of 25 cents to the licensing agent (this includes the fee for the oath).

(4) Receive the license of the proper class.

(5) Receive instructions regarding the duties of a person holding an explosives license.

(6) Receive instructions as to records which must be kept.

(7) Receive instructions regarding the reporting of explosions and fires occurring in mines, quarries, factories, warehouses, magazines, houses, cars, boats, conveyances, and all places in which explosives or ingredients are manufactured, stored, or used.

Appeal.

If a license is refused to an applicant he may appeal from the decision of the licensing agent to the Council of National Defense, Washington, D. C., and this appeal must be made within 30 days of the refusal of license.

Certified copies of licenses.

Any person requiring certified copies of his license may obtain them by sending photographic or photostatic copies of the original license, printed on dull-finished paper, to the Director, Bureau of Mines, Washington, D. C., or by appearing before the agent of original issue and producing the license and paying a fee of 25 cents.

HOW TO OBTAIN LICENSES FROM THE BUREAU OF MINES AT WASHINGTON.

Applications made to Bureau of Mines.

Applications for manufacturers', exporters', and importers' licenses and for other licenses required by manufacturers, exporters, and importers should be obtained from the Director of the Bureau of Mines, Washington, D. C. Blanks for such applications may be

obtained from the Director, Bureau of Mines, or from the State explosives inspector in each State.

Departments, bureaus, etc., of the United States Government and their individual employees, may apply for and receive licenses either from a local licensing agent or from the Director, Bureau of Mines.

Licenses required by United States Government.

The Army and Navy are the only Federal bodies exempted from licensing under the law.

Appeal from refusal of license by the Director, Bureau of Mines, lies through the Council of National Defense, Washington, D. C., and must be made within 30 days of the refusal of license.

Appeal.

USE, PROTECTION, AND LAPSE OF LICENSES.

Licenses not transferable.

A license is not transferable and may be used only by the person to whom it has been issued.

Void at death or termination of employment.

If a licensee dies, or leaves the service of an employer, for whose service the license was procured, the license becomes void and should be returned to the original licensing agent.

It is the duty of a person, company, etc., to return to the licensing agent the licenses issued to foremen who have left the employ of the said person.

Each license bears a number and must be protected and preserved by the licensee, so that he may be identified at any time when he desires to purchase, vend, issue, or use explosives. In the event the license is lost or destroyed, a new license may be issued upon application to the original licensing agent, but only upon satisfactory evidence that the facts are as claimed. Another application form must be filled out and additional fee of 25 cents paid.

Preservation of license.

Loss of license.

Every person authorized to sell or issue, and in the case of analysts and investigators, to dispose of explosives, shall keep a complete itemized record showing when and to whom the explosives are sold, given, bartered, or to whom or how otherwise disposed of.

Records required under licenses.

This record shall be sworn to and furnished to the Director of the Bureau of Mines or his authorized representatives whenever requested.

Theft of or misuse of explosives and other violations of the law and all explosions and fires occurring in buildings, plants, mines, etc., where explosives are manufactured, stored, used, or sold shall be reported at once to the United States explosives inspector, and to the proper local authorities and to the Bureau of Mines, Washington, D. C. All such occurrences involving the theft of 100 pounds or over of explosives, or the serious injury or death of one or more persons, or property damage of $1,000 or more, shall be reported at once by telegram, at Government rate.

Reporting violations of law, explosions and fires.

Licenses must be exhibited upon request to any peace officer, Federal or State, or to any representative of the Bureau of Mines.

When licenses must be shown.

It is the duty of every licensee to prevent explosives sold or issued to him from coming into the hands of disloyal or incompetent persons.

Duties of licensee.

To keep explosives in a suitable magazine securely locked. (See "Rules for Storage," p. 39.)

To protect his magazines and define and post his premises with conspicuous signs on which are displayed the words "Explosives—Keep Off."

Every holder of a license is appealed to as a loyal citizen to cooperate in the enforcement of this law. Great assistance can be given by licensees through their seeing that magazines are in a safe condition, that unused explosives are returned to magazine, that careless and disloyal persons are not permitted to obtain or use explosives, and that dangerous practices are discontinued.

Cooperation in enforcement of the law.

SPECIAL RULES COVERING SHIPMENT OF EXPLOSIVES OR INGREDIENTS BY COMMON CARRIERS.

Every manufacturer, dealer, or other person selling explosives or ingredients shall, if the purchaser appear in person, require the presentation of the license under which the purchase is made; or if the

order is received by mail, telegraph, etc., he shall require a certified copy of the purchaser's license to be on file in his office: *Provided*, That if sales are made through traveling salesman, and the purchaser presents his license to such salesman at the time of the placing of the order, it will not then be necessary for him to have a certified copy on file with the vendor. Such salesman must, however, in forwarding the order to his employer, state that a proper license has been presented to him and give its class and number upon the order.

Before making delivery of any less than carload shipment of explosives and ingredients to a carrier, the vendor must plainly stamp or mark the number of the consignee's license on the bill of lading and shipping order or on whatever other receipts may be given by the carrier, as follows:

UNITED STATES EXPLOSIVES LICENSE NO. ———.

This ruling applies to both interstate and intrastate shipments.

The carrier's representative accepting any such shipment of explosives or ingredients shall cause to be indorsed on the revenue or other way bill covering the shipment, the information as to license number, and this information must also be shown on all revenue or other waybills, covering such shipments, issued or used by connecting carriers.

The agent of any carrier at the final destination of any such shipment before making delivery to consignee shall require the consignee to file with him a certified copy or to exhibit the original license, or a certified copy thereof, authorizing such consignee to purchase, accept or receive such explosives or ingredients, and such license must correspond with the waybill as to name and number. When such shipments are made to nonagency points, delivery may be made to the consignee, or to his authorized agent when known to the train conductor, upon presentation to him of the license, or a certified copy thereof, corresponding with the waybill as to name and number.

Teamsters or other persons hauling explosives from delivery stations must be properly authorized by the licensee to accept and haul such material.

SPECIAL RULES FOR MANUFACTURERS OF EXPLOSIVES AND INGREDIENTS.

Every manufacturer of explosives or ingredients (see list, pp. 13 to 14, inclusive) will require:

1. A manufacturer's license.
2. A vendor's license (only in case a part of sales consists of explosives or ingredients purchased for resale).
3. An importer's license (if explosives or ingredients are imported).
4. An exporter's license (if explosives or ingredients are exported).

Application for all of these licenses should be made to Bureau of Mines, Washington, D. C.

Every branch office and shipping magazine should be furnished with a certified copy of such licenses as are necessary for the business therein transacted.

Every salesman who actually handles or demonstrates explosives or ingredients should have certified copies of such of the above licenses as pertain to the functions he performs.

Photographic or photostatic copies of original licenses, if printed on dull-finished paper, may be sent to the Bureau of Mines, Washington, D. C., and will be there certified without charge. Manufacturers must satisfy themselves that their customers are persons qualified to use explosives and ingredients properly, and that they have legitimate use for them.

No order shall be accepted unless the purchaser produces his license or has a certified copy on file with the vendor, excepting as provided for in "Rules covering shipment of explosives, etc." (p. 29).

Manufacturers must see that no alien believed to be hostile to the United States, or any disloyal person in their employ, is permitted to sell, handle, or have access to any explosives or ingredients.

ADDITIONAL RULES FOR MANUFACTURERS OF FIREWORKS.

Manufacturers of fireworks will be governed by the foregoing rules and by the following:

None but the following varieties of fireworks will be manufactured:

Firecrackers—imported and domestic (not over 5 inches by $\frac{3}{4}$ inch).
Roman candles—not over 20 balls.
Rockets—not over 3-pound size.

Wheels of all kinds at present manufactured.
Railroad fuses, colored lights, and all safety signals.
Serpents.
Sparklers.
Toy torpedoes (including "Vesuvius" and "Son-of-a-Gun" torpedoes).
Fountains.
Jack-in-the-box.
Colored shells (up to 6 inches in diameter) not containing detonating compound.
Mines.
Lances.
Paper caps.

All rockets and Roman candles of greater size than the above and all shells up to 6 inches in diameter, which have been manufactured prior to November 15, 1917, and are now stored at factories or in the hands of jobbers or retailers, may be sold under license.

Nothing in the above rules will permit the manufacture or sale of any fireworks prohibited by local or State laws, or by the regulations of the Interstate Commerce Commission.

SPECIAL RULES FOR VENDORS OF EXPLOSIVES AND INGREDIENTS.

Every person who purchases explosives or ingredients for resale (excepting "foremen," as defined in sec. 5 of the Law) must obtain a vendor's license.

Such licenses must be obtained from licensing agents in the State or Territory in which the vendor's business is located.

Jobbers, even though they do not themselves handle the explosives or ingredients dealt in, shall be considered as vendors under this act.

Vendors must see that no alien enemy or any disloyal person in their employ is permitted to sell, handle, or have access to explosives or ingredients.

Vendors must require every customer making purchases of explosives or ingredients, in person, to produce his license and must satisfy themselves as to such customer being the legal owner of the license presented, and must have on file certified copies of the licenses of such customers as order by mail, telegraph, etc.

In shipping explosives or ingredients to their customers by common carrier vendors must show the purchaser's license number on the bills of lading and other shipping papers.

Vendors must refuse to sell explosives or ingredients to persons known to them to be disloyal or hostile to the United States or to be incompetent to possess or use such substances, even though a license may be presented by such persons, and they should report at once to the United States explosive inspector for their State the fact that such persons possess licenses, going into full particulars.

Vendors must keep all explosives, and ingredients which are in themselves explosive, in safe, properly constructed magazines, which shall be kept securely locked.

Vendors must keep a record of each sale, which will include the kind and number of the purchaser's license, his name, quantity and kind of explosives or ingredients purchased, and date of sale. This record must be sworn to and furnished to the Director of the Bureau of Mines whenever requested.

See also "Rules covering shipment of explosives," etc. (p. 29).

SPECIAL RULES FOR VARIOUS INDUSTRIES USING EXPLOSIVES AND INGREDIENTS.

Every owner or operator of a mine, quarry, or other industry using explosives or ingredients will require:

Quarries, coal mines, metalliferous mines, and other industries using explosives.

(*a*) A purchaser's license, when explosives are bought for use only by his employees, and for delivery to them at the mine or quarry.

(*b*) Or a vendor's license, where explosives are bought for resale even in part, for use away from the mine or quarry.

Such owner or operator when licensed as a vendor shall be governed by the rules of the United States Bureau of Mines to which vendors of explosives are subject, except that in selling explosives to his own employees at and for use on the premises under the control of such vendor he shall be governed solely by the following rules for their distribution.

Every owner or operator of a mine, quarry, or other work shall require all employees who are charged with the custody or distribution of explosives to become duly licensed. No unlicensed employee shall issue or distribute explosives.

Employers desiring to have a foreman's license issued to their employees shall certify to the licensing agent that the applicant is over 21 years of age; that he is known to such owner, operator, or person in charge, and in his opinion the applicant is a proper person

to whom the license may be issued. Before certifying to the character and qualification of an employee, the owner must satisfy himself as to his employee's character and responsibility.

The premises upon which each magazine is located must be marked "Explosives—Keep Off." The magazine shall be in charge of one person and at all times kept securely locked, except when explosives are being put into storage in it or issued from it.

A complete record must be kept of all explosives issued or returned and the name of licensee issuing or receiving them. If there is more than one magazine at the mine, quarry, or on the work, separate records must be kept at each. Daily reports must be made to the office of the owner, operator, or superintendent and compiled into a general record as directed by the Director of the Bureau of Mines.

A daily inventory must be taken of the amount and kind of explosives remaining in each magazine and reported to the office of the owner, operator, or superintendent, where a daily balance should be struck to determine whether any explosives have been lost or stolen. If it is found that any explosives have been lost or stolen, the person obtaining such information shall promptly notify the person in charge of the mine or other operation and the nearest local officer. If there are a series of such losses, or if more than 10 pounds are lost within the period of a week, the person in charge shall without delay notify the State explosives inspector and wire the Director of the Bureau of Mines, Washington, D. C. (Government rate, collect).

Only one licensed person should be in charge of a magazine or magazines and issue explosives during one shift. When going off shift the records should be checked, the stock jointly counted, checked, and receipted for by the proper licensee of the succeeding shift.

No explosives shall be issued to an employee of a mine, quarry, or other work except upon a written requisition signed by a licensed foreman or other authorized person. Such authorized person shall use reasonable intelligence to see that the full quantity of explosives in each case has been properly used or the unused portion returned to the magazine from which it was taken or placed in a safe locked box located in a position designated by the foreman. In transferring explosives from one magazine to another the maga-

zine keeper issuing the explosives should obtain the receipt of the magazine keeper who received the explosives.

Any employee who fails to use in a proper manner all explosives issued to him or return the unused portion to the magazine from which he received them, or place in a safe locked box located in a position designated by the foreman, shall be guilty of a violation of the act under the authority of which these rules are issued and subject to prosecution therefor.

NOTE.—This rule and the one next following must be read and explained to each employee whose duties may require him to use or transport explosives, and copies must be posted conspicuously upon the premises where explosives are used or stored.

Should it come to the knowledge of any person that any employee of the operator or owner of any quarry or mine has unlawfully removed explosives from the place where he is employed, such person shall immediately report such knowledge to the local authorities, to the State explosives inspector, and by wire to the Director Bureau of Mines, Washington, D. C. (Government rate, collect), and should he fail to do so he shall be deemed to have violated the act under the authority of which this rule has been made.

A company operating several mines in the same State will require only one purchaser's or vendor's license, but must provide each of its officers with local licenses or with a certified copy of the original license. If a company operates mines in two or more States, a license of the proper class must be obtained in each State in which operations are carried on.

SUGGESTIONS.

It is suggested that in mines or quarries where explosives are sold or issued by licensed foremen, a sufficient number of such foremen be provided to insure against operation being interrupted by sickness, absence, etc.

At mines or quarries where explosives are not sold or issued to miners on the premises and where in consequence of this each miner must have a purchaser's license, it might be well to arrange with the nearest licensing agent to sit at certain times at some convenient place, at or near the mines, to issue licenses, thus avoiding loss of time by large numbers of workmen who might otherwise be required to travel some distance in order to secure licenses.

Ignorance of the law as to its effect on aliens may result in considerable confusion, and it is essential that every precaution be taken to avoid any violation of the law which might result in reduction of output. It is consequently important that owners and operators cooperate to the end that their employees may fully understand the requirements of the law and comply therewith.

Since licensing agents and vendors are required to satisfy themselves as to the responsibility and loyalty of applicants and purchasers, owners and operators should lend any necessary assistance to their employees to the end that if they are deserving they will not encounter difficulties because of their being unknown.

Emphasis is placed on the fact that all forms of fuse, squibs, caps, and detonators are classed as explosives under the law.

SPECIAL RULES IN REGARD TO LICENSES FOR VARIOUS KINDS OF WORK.

Miners and quarrymen.

Where explosives are issued or sold to miners and quarrymen by licensed foremen at the mine or quarry, no license is required. Explosives so received must not be taken to any place not necessary in the pursuit of the business of the employer, and any unused portion must be returned to the foreman or placed in a safe locked box, located in a position designated by the foreman. When explosives, fuses, squibs, caps, or detonators are purchased away from the mine or quarry, each person so purchasing must have a purchaser's license, and this license must be shown when purchasing.

Every responsible and loyal miner or quarryman is entitled to a license when such is necessary in the pursuit of his business, even though he may not be a citizen of the United States provided that he be not a citizen or subject of a country which is at war with the United States, or of a country which is allied with an enemy of the United States, and provided further that he be otherwise qualified under the law.

Prospectors.

A prospector who uses explosives will require a purchaser's license. Under this license explosives must be used exclusively by the purchaser. If a prospector wishes to sell or issue explosives to other persons, he must obtain a vendor's or foreman's license, and must keep a record of the sale or issuance as provided in section 9 of the law.

Oil-well operators, drillers, and shooters.

A company that manufactures nitroglycerin or other explosives for use in oil wells will require only a manufacturer's license if the explosives remain at all times in the hands of its employees, but if the explosives are to be sold or issued to other persons who use them, the purchasing company or individual will require a purchaser's license, and the person using or issuing explosives on behalf of the purchaser will require a foreman's license.

Contractors.

Contractors will be guided by the foregoing rules, especially those referring to quarries, mines, etc. A contractor may purchase explosives from a foreman licensed as an employee of another person provided only that such explosives are used on the premises covered by the foreman's license under which they are purchased.

Demonstrators.

A salaried demonstrator of an explosives manufacturer will require a manufacturer's license or a certified copy thereof. Any other demonstrator must procure a foreman's license and observe the instructions relating thereto.

Exporters and importers.

An exporter's or importer's license does not authorize export or import of explosives or ingredients in violation of any proclamation of the President of the United States, nor does it relieve the licensee from complying with all Federal laws relating to such matters. Special attention is called to the regulations of the War Trade Board, Washington, D. C.

Munitions plants.

Plants engaged in the manufacture or handling of explosives and ingredients require a manufacturer's license unless the work of the plant is *exclusively* under the authority of the Government for the manufacture or preparation of munitions.

States, Territories, cities, towns, etc.

States, Territories, cities, towns, etc., are "persons" as defined in the law, and require licenses for the purchase or use of explosives. State and county construction departments, quarries, and other institutions purchasing, handling, issuing, or disposing of explosives require licenses. Cities and towns requiring explosives for municipal work must procure licenses. Instructions previously given for purchasers, vendors, and foremen shall apply in all cases.

A farmer requiring explosives will need a purchaser's license, and if he desires to issue explosives to his employees he must obtain also a foreman's license and keep the required record. Under the purchaser's license one can not sell, give, or barter, or dispose of explosives except by personal use. Unused explosives must be kept in a safe place, securely locked. (See rules regarding "Age Requirements, p. 22.) Farmers may obtain additional information from the county agricultural agent or from a local licensing agent.

Farmers.

Previous rulings will apply to railroad companies, both as to construction work and as to operation (signals, fusees, torpedoes, etc.), and to telephone and telegraph companies, in their use of explosives. In this connection, note especially rulings as to limitation of licenses by State lines.

Railroads, telephone and telegraph companies, etc.

Druggists, etc. See "Special Rules for Vendors" (pp. 32–33).

Any person using explosives for the loading or reloading of shotgun shells or small-arms ammunition must obtain a license of the proper class.

Loading shotgun shells, etc.

The manufacture, sale, exportation, importation, and purchase of fireworks of all kinds and in any quantity will be under license, and the foregoing rules will apply, excepting that no license will be required for the purchase at retail of Chinese firecrackers, American firecrackers, toy torpedoes, serpents, sparklers, or toy paper caps when costing not more than 10 cents per package.

Fireworks.

RULES FOR THE STORAGE OF EXPLOSIVES AND INGREDIENTS.

All ingredients of explosives must be stored in safely locked buildings or they must at all times be otherwise protected against theft.

All explosives to the extent of 25 pounds or less may be stored in strongly constructed wooden boxes which must be kept securely locked at all times except when being filled or emptied, and which should, whenever possible, be placed in a securely locked building.

All explosives except when in process of manufacture when stored in quantities greater than 25 pounds must be kept in magazines which are properly constructed, safely located, and securely locked, or otherwise protected against theft.

The United States Explosives Inspector in each State, working in cooperation with his advisory committee, shall have the right to inspect all places where explosives or ingredients are stored, and to require the making of whatever changes in construction, location, or safeguarding may be necessary for the proper protection of the contents and of surrounding property. Guards may be ordered placed, temporarily or permanently, at any magazine. Appeal may be made from any decision of the United States Explosives Inspector to the Director, Bureau of Mines, Washington, D. C.

The premises on which explosives or ingredients that are in themselves explosive, are stored must be conspicuously defined and marked by signs containing the words "Explosives—Keep Off." Such signs must not be placed on the magazine and must be so located that a bullet passing through the sign will not strike the magazine.

All hasps, staples, and hinges on magazines or storage boxes must be attached by rivets or by bolts properly washered and with the nuts on the inside, or by other equally secure methods.

LIST OF UNITED STATES EXPLOSIVES INSPECTORS APPOINTED BY THE PRESIDENT.

State.	Name.	Place.
Alabama	Walter K. McAdory	Birmingham.
Alaska	D. C. Sargent	Cordova.
Arizona	Edward L. Shaw	Phoenix.
Arkansas	Edwin T. Reaves	Little Rock.
California	John M. Griffin	Madera.
Colorado	Thomas S. Price	Denver.
Connecticut	James E. McGann	New Haven.
Delaware	William F. Hoey	Frederica.
Florida	Clarence E. Woods	Eustis.
Georgia	Carlos H. Mason	Atlanta
Iowa	John J. Hughes	Council Bluffs.
Idaho	Edgar S. Elder	St. Maries.
Illinois	William A. Compton	Macomb.
Indiana	Lemuel T. Osborn	Mount Vernon.
Kansas	William J. Duval	Kansas City.
Kentucky	Thomas S. Rhea	Russellville.
Louisiana	Isaac A. Broussard	Lafayette.
Maine	Leon O. Tebbetts	Waterville.
Maryland	Lewis A. Griffith	Upper Marlboro.
Massachusetts	Daniel F. O'Connell	Federal Building, Boston.
Michigan	Albert E. Stevenson	Port Huron.
Minnesota	Madison C. Bowler	Minneapolis.
Mississippi	Ellis S. Middleton	Jackson.
Missouri	Walter L. Lampkin	Kansas City.
Montana	Jeremiah W. Farrell	Joliet.
Nebraska	Charles F. Clark	David City.
Nevada	Denver L. Dickinson	Carson City.
New Hampshire	Andrew W. Bingham	Littleton.
New Jersey	Nicholas Hughes	Paterson.
New Mexico	Miles C. Stewart	Carlsbad.
New York	Edward D. Jackson	Buffalo.
North Carolina	Daniel A. McDonald	Carthage.
North Dakota	Wm. P. Porterfield	Fargo.
Ohio	Jasper S. Kinslow	Columbus.
Oklahoma	Fred Rains	Muskogee.

List of United States explosives inspectors appointed by the President—Continued.

State.	Name.	Place.
Oregon	William N. Campbell	Medford.
Pennsylvania	John W. Rittenhouse	Scranton.
Rhode Island	Francis E. Sullivan	Providence.
South Carolina	William Banks	Columbia.
South Dakota	Michael R. Magner	Yankton.
Tennessee	Albert M. Leach	Clarksville.
Texas	Charles B. Watters	San Antonio.
Utah	David C. Dunbar	Salt Lake City.
Vermont	Park H. Pollard	Proctorville.
Virginia	Martin Williams	Pearisburg.
Washington	Walter G. Ronald	Seattle.
West Virginia	E. M. Gilkesen	Parkersburg.
Wisconsin	Joseph S. Giudice	Schleisingerville.
Wyoming	James A. Berry	Basin.

INSTRUCTIONS TO UNITED STATES EXPLOSIVES INSPECTORS.

1. The purpose of the explosives law is to prevent lawless or unauthorized use of explosives, either in their finished state or in the form of their component parts, susceptible of combination to produce explosions, fires, etc. The regulations promulgated contemplate uch supervision of these materisals as will keep them out of the hands of those who might use them illegally and by a series of checks and counterchecks, the following up of such materials continuously from their origin to final consumption, thus insuring legitimate use. The law provides:

"That nothing herein contained shall be construed to prevent the manufacture, under the authority of the Government, of explosives for, their sale to, or their possession by, the military or naval service of the United States of America."

With these exceptions licenses are required by all other persons manufacturing, selling, purchasing, possessing, or using explosives or ingredients.

2. In general, the duties of inspectors appointed under section 13 of the act will be to see that rules and regulations for the manufacture, handling, sale, use, and possession of explosives or their ingredients are observed by all concerned, and to carry out such special instructions as may from time to time be issued by the Director of the Bureau of Mines charged by the act with the enforcement of its provisions.

3. The specific duties of Inspectors, referred to in the preceding paragraph, will be comprised under the following headings:

(*a*) They will report immediately to the Director any infringement of regulations encountered, and will recommend revocation of licenses, where circumstances justify such action. In addition to special reports, routine reports will be rendered on prescribed blanks, in accordance with instructions appearing thereon.

(*b*) They will cooperate with local police authorities, reporting to them and to the Director, Bureau of Mines, Washington, D. C., any suspicious circumstances attending accidents or thefts where explosives are involved, and will hold themselves in readiness to assist in the investigation of such occurrences, if called upon to do so by any one of the following agencies: Department of Justice; United States Navy Intelligence; United States Army Intelligence; Inspectors, Bureau of Mines; Bureau of Explosives, Railroad Association.

These latter agencies are specifically charged with the investigation of untoward events.

(*c*) In order to secure the proper enforcement of the law, it is important that you cooperate with Federal, State, and municipal officials, and such appointees of the Bureau of Mines as we may hereafter advise you of, and you are urged to keep in touch with the above agencies, Federal, county, and city officers of your district, such as sheriffs, mayors, chiefs of police, and chiefs of fire departments, so that they may lend their assistance.

If there are now in your State any State or city officials operating under State laws or local ordinances regulating the manufacture, sale, storage, and use of explosives, you should cooperate with these officials in the enforcement of such laws and ordinances, provided they do not conflict with the law under which you are appointed. Refer all doubtful questions to the Director, Bureau of Mines. The Federal license will not release any person from securing also a State or local license where the same is required by State laws or local ordinances.

(*d*) They will act as the personal representative of the Director in the respective States to which accredited, keeping him informed at all times of matters coming within their purview, which relate to the manufacture, shipment, storage, sale, and use of explosives and ingredients thereof as per official list.

4. You will observe that the law provides that no persons shall manufacture, distribute, store, use, or possess explosives, or ingredients thereof, not including explosives for the military or naval service of the United States of America under the authority of the Government, or ingredients in small quantities not used or intended to be used in the manufacture of explosives, and not including small-arm or shotgun cartridges, unless such person shall obtain a license issued in the name of the Director of the Bureau of Mines, **except that any workman may purchase or accept explosives, or ingredients thereof, without a license under prescribed conditions from a licensed superintendent or foreman. Licenses will not be issued to enemy aliens, or to subjects of a country allied with an enemy of the United States, or to a corporation, firm, or association where its controlling stockholders or members are enemy aliens or subjects of a country allied with an enemy of the United States.**

5. It is believed that you will receive much help from suggestions from the general public, and it will be worth your while to take reliable citizens into your confidence in ascertaining the character

and loyalty of persons manufacturing, distributing, and using explosives; and if you find that any such persons are acting in a disloyal, suspicious, or other improper manner, you will immediately report the facts to the Director of the Bureau of Mines and to the local authorities.

6. A licensor has been or will be designated in each county, usually the county clerk, to issue licenses in the name of the Director of the Bureau of Mines. In some counties where large amounts of explosives are used other officers having the right to administer oaths have been or will be designated in addition to county clerks. You are directed to get in touch with these officers and inspect their records, if necessary, and to see that they are properly performing their duties. If you find that any such officer is incompetent or that for any other reason he should be removed, you will promptly so report to the Director of the Bureau of Mines.

7. In making such investigations as are mentioned in (*b*) of paragraph 3 you may find it necessary to secure affidavits from persons familiar with the facts, and for this specific purpose you are authorized by the act to administer oaths. If technical assistance is necessary, you should so advise this office and await instructions. Experts will be furnished by the Bureau of Mines to assist in investigating explosions in mines and quarries.

8. You will be further instructed from time to time by the Director of the Bureau of Mines in particular cases as they may arise in the administration of the Explosives Act.

9. Your headquarters will be designated by the Director, Bureau of Mines, after receiving information from you as to where you desire to be located. No provision has been made for an allowance for office rent. In addition to your salary you will be allowed the necessary traveling expenses and $4 per day in lieu of subsistence while away on duty, etc., etc. In this connection you are directed to submit an estimate as to the amount which will probably be necessary up to the end of the fiscal year ending June 30, 1918, for this purpose. You are further directed to report as to whether the services of a clerk will be necessary, and if so, at what salary you will be able to obtain such assistance. In this connection also you will report as to whether women may be employed for this purpose, or at least as to the employment of men not within the draft age for military purposes, as it is the desire of this Bureau that you do not employ men within the draft age.

○

MSH 21268

END OF
TITLE